



City of Seattle

Gregory J. Nickels, Mayor
Department of Planning and Development
D. M. Sugimura, Director

**CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR OF
THE DEPARTMENT OF PLANNING AND DEVELOPMENT**

Application Number: 2408545*
Applicant Name: Randy Spaan, for Kim Thurman
Address of Proposal: 1827 31st Avenue*

SUMMARY OF PROPOSED ACTION

Master Use Permit for demolition of an existing 2-unit, 1400 square foot multifamily structure (duplex) in an environmentally critical area.

The following approval is required:

SEPA - Environmental Determination – (Chapter 25.05, Seattle Municipal Code.)

SEPA DETERMINATION: ☐ Exempt ☐ DNS ☐ MDNS ☐ EIS

☐ DNS with conditions

☒ DNS involving non exempt grading or demolition or involving another agency with jurisdiction.

*Project #2408545 also involves construction of a single-family residence at 1827 31st Avenue. A related project, #2408546, is to construct a single-family residence at 1825 31st Avenue. Since the existing multi-family structure to be demolished overlies platted lots 14 and 15, Block 33, Yesler's 2nd Add, addressed as 1827 and 1825 31st Avenue, the SEPA Environmental Determination pertains to both underlying platted lots.

BACKGROUND INFORMATION

Site and Vicinity Description

The subject site, 8800 square feet in size, is located mid-block along 31st Avenue, between E. Denny Way to the north and E. Howell Street to the south. It is zoned SF5000, as are all properties within the same block as well as other properties within a several block general vicinity. Adjacent properties are generally developed with single family residences. A large, generally undeveloped steeply sloped area lies just east of the margin of 32nd Avenue and 32nd Avenue E., north of E. Denny Way. It is designated as a mapped environmentally critical area, characterized by slopes in excess of 40 percent and displaying potential for land slides. A portion of the mapped potential slide environmentally critical area traverses 31st Avenue and the southeast portion of the subject site.

Proposal

The applicant proposes to demolish an existing multifamily structure (duplex), of approximately 1400 square feet and construct two single-family residences.

Public Comments

Public notice of the project application was published on April 14, 2005. The required public comment period ended on April 27, 2005. DPD received one comment regarding this proposal from the neighbor abutting the site on the north who expressed concerns regarding an existing easement for a shared driveway with the subject property. Subsequently, a new easement between the applicant and the neighbor was negotiated and filed with the King County Department of Elections and Records.

ANALYSIS - SEPA

The proposal site contains a mapped landslide-prone area (potential landslide area), thus the application is not exempt from SEPA review. However, SMC 25.05.908 provides that the scope of environmental review of projects within critical areas shall be limited to: 1) documenting whether the proposal is consistent with the City's Environmentally Critical Areas (ECA) regulations in SMC 25.09; and 2) evaluating potentially significant impacts on the critical area resources not adequately addressed in the ECA regulations. This review includes identifying additional mitigation measures needed to protect the ECA in order to achieve consistency with SEPA and other applicable environmental laws.

Environmental review resulting in a Threshold Determination is required pursuant to the Seattle State Environmental Policy Act (SEPA), WAC 197-11, and the Seattle SEPA Ordinance (Seattle Municipal Code Chapter 25.05).

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant dated April 7, 2005 and annotated by the Department. The information in

the checklist and the experience of the lead agency with review of similar projects form the basis for this analysis and decision.

The SEPA Overview Policy (SMC 23.05.665) discusses the relationship between the City's code/policies and environmental review. The Overview Policy states, in part, "Where City regulations have been adopted to address an environmental impact; it shall be presumed that such regulations are adequate to achieve sufficient mitigation subject to some limitation". The Overview Policy in SMC 23.05.665 D1-7, states that in limited circumstances it may be appropriate to deny or mitigate a project based on adverse environmental impacts.

The policies for specific elements of the environment (SMC 25.05.675) describe the relationship with the Overview Policy and indicate when the Overview Policy is applicable. Not all elements of the environment are subject to the Overview Policy (e.g., Traffic and Transportation, Plants and Animals and Shadows on Open Spaces).

Short-term Impacts

Demolition of the existing multifamily structure (duplex) may have short-term impacts on the environment; however, temporary soil erosion impacts will be limited and relatively minor.

Several adopted codes and/or ordinances provide mitigation for temporary soil erosion. The Environmentally Critical Areas regulations provides rules to protect the public health, safety and welfare, promote safe development through the use of the best possible planning and engineering techniques, and prevents harm to the environment. The Stormwater, Grading and Drainage Control Code regulates site excavation for foundation purposes and requires that soil erosion control techniques be initiated for the duration of construction. The Building Code provides for construction measures and life safety issues. Compliance with these applicable codes and ordinances will reduce or eliminate most short-term impacts to the environment.

Long-term Impacts

No long-term or use-related impacts are anticipated as a result of approval of the demolition portion of this proposal.

The proposal is consistent with the City's Environmentally Critical Areas (ECA) regulations and no further conditioning is necessary.

DECISION - SEPA

This decision was made after review by the responsible official on behalf of the lead agency of a completed environmental checklist and other information on file with the responsible department. This constitutes the Threshold Determination and form. The intent of this declaration is to satisfy the requirement of the State Environmental Policy Act (RCW 43.21.C), including the requirement to inform the public of agency decisions pursuant to SEPA.

[X] Determination of Non-Significance. This proposal has been determined to not have a significant adverse impact upon the environment. An EIS is not required under RCW 43.21C.030(2)(C).

[] Determination of Significance. This proposal has or may have a significant adverse impact upon the environment. An EIS is required under RCW 43.21C.030(2)(C).

CONDITIONS - SEPA

None.

Signature: (signature on file) Date: January 19, 2006
Michael Dorcy, Senior Land Use Planner
Department of Planning and Development
Land Use Services

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